REMARKS

Claims 1-22, 73, 76-84 and 99-105 were pending in the present application at the time the present Office Action was mailed. Claims 1, 14, 73 and 76-80 have been cancelled without conceding the merits of the rejections of these claims, and without prejudice to pursuing these claims in one or more continuing applications. Dependent claims 3, 15, 81 and 100 have been rewritten in independent form to include all the features of the corresponding base claims and any intervening claims. Accordingly, claims 3, 15, 81 and 100 have not been substantively amended, and any subsequent rejection of these claims based on new grounds cannot be made final. Claims 2, 4, 6, 8, 10, 12, 13, 18, 19, 21, 22, 82-84, 99, 101 and 102 have been amended to change the dependencies of these claims. In addition, claims 81-84 have been amended to enhance the readability of these claims. Based on the foregoing, claims 2-13, 15-22, 81-84 and 99-105 remain pending in the present application.

In the present Office Action, the drawings were objected to and claims 1-22, 73, 76-84 and 99-105 were rejected. More specifically, the status of the present application in light of the Office Action is as follows:

(A) The drawings were objected to under 37 C.F.R. § 1.83(a) for not showing every feature of the invention;

(B) Claims 14, 18, 22 and 79 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,279,423 to Shuert ("Shuert");

(C) Claims 14, 18, 21, 22 and 79 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,138,903 to Baker ("Baker");

(D) Claims 14, 15, 18-21, 73, 76-81, 83 and 84 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,693,413 to McFarland ("McFarland") in view of Baker or U.S. Patent No. 4,601,407 to Gillard ("Gillard");

(E) Claims 1-12, 16, 17, 82 and 99-105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Shuert; and

(F) Claims 13 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Shuert.

The Finality of the Present Office Action is Improper

As a preliminary matter, the applicant respectfully submits that the present Office Action includes an incorrect indication of finality because claim 16 was rejected on new grounds, and the new grounds of rejection were not necessitated by an amendment to the claim.

Claim 16 was initially rejected in an Office Action mailed September 24, 2003. In that Office Action, claim 16 was rejected under 35 U.S.C. § 102(b) as being anticipated by McFarland. The applicant responded to this rejection on December 23, 2003, by rewriting dependent claim 16 in independent form to include all of the features of corresponding base claim 14. Applicant did not, however, substantively amend claim 16 at that time.

In the present Office Action, claim 16 is rejected on new grounds. Specifically, in the present Office Action claim 16 is rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Shuert. (See page 3 of the Office Action at para. 5). As the MPEP clearly states, a final rejection is improper where the Examiner introduces a new ground of rejection that is not necessitated by applicant's amendment of the claim. (MPEP 706.07(a)). In the present case, claim 16 was not amended in a manner that would necessitate the new grounds of rejection. Thus, the finality of the present Office Action is improper and should be withdrawn (MPEP 706.07(d)).

A. Response to the Objection to the Drawings

The drawings were objected to under 37 C.F.R. § 1.83(a) for not including score lines on an outer tube outer surface as specified in claim 13. In the interest of expediting prosecution, and without commenting or conceding the merits of this objection, a new Figure 12 is included with the present response to overcome this objection. Figure 12 is directed to features originally included in claim 13. Further, paragraph 35 on page 11 of the present application includes a written description of the

score lines illustrated in new Figure 12. Accordingly, Figure 12 adds no new matter to the present application.

B. Response to the Section 102 Rejection of Claims 14, 18, 22 and 79

Claims 14, 18, 22 and 79 were rejected under 35 U.S.C. § 102(b) as being anticipated by Shuert. Claims 14 and 79 have been cancelled without commenting on or conceding the merits of the rejections of these claims. Accordingly, the rejections of claims 14 and 79 are now moot.

Claims 18 and 22 depend from base claim 15. For the reasons discussed in greater detail below with regard to the Section 103 rejection of claim 15, the applied references of McFarland, Baker, and Gillard cannot support a Section 103 rejection of claim 15. Further, Shuert fails to cure the deficiencies of McFarland, Baker, and Gillard with regard to base claim 15. Thus, Shuert cannot support a Section 102 rejection of dependent claims 18 and 22 for at least the reason that this reference cannot support a valid Section 102 or Section 103 rejection of base claim 15, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 18 and 22 should be withdrawn.

C. Response to the Section 102 Rejection of Claims 14, 18, 21, 22 and 79

Claims 14, 18, 21, 22 and 79 were rejected under 35 U.S.C. § 102(b) as being anticipated by Baker. As explained above, the rejections of claims 14 and 79 are now moot because these claims have been cancelled.

Claims 18, 21 and 22 depend from base claim 15. For the reasons discussed in greater detail below with regard to the Section 103 rejection of claim 15, the applied references of McFarland, Baker, and Gillard cannot support a Section 103 rejection of claim 15. Thus, Baker cannot support a Section 102 rejection of dependent claims 18, 21 and 22 for at least the reason that this reference cannot support a valid Section 102 or Section 103 rejection of base claim 15, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 18, 21 and 22 should be withdrawn.

D. Response to the Section 103 Rejection of Claims 14, 15, 18-21, 73, 76-81, 83 and 84

Claims 14, 15, 18-21, 73, 76-81, 83 and 84 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Baker or Gillard. Claims 14, 73 and 76-80 have been cancelled without commenting on or conceding the merits of the rejections of these claims. Accordingly, the rejections of claims 14, 73 and 76-80 are now moot.

1. Independent Claims 15 and 81 are Directed to Corrugated Containers that Include, *Inter Alia*, an Inner Laminate and an Outer Laminate having Corner Portions With Offset Score Lines in Which at Least Two Plies of Corrugated Paperboard are Compressed

Independent claim 15 is directed to a foldable corrugated container structure that includes an inner laminate and an outer laminate. The outer laminate includes at least first and second plies of corrugated paperboard that are compressed along first and second score lines to reduce the material thickness of each of the plies along the first and second score lines. Similarly, the inner laminate includes at least third and fourth plies of corrugated paperboard that are compressed along third and fourth score lines to reduce the material thickness of each of the plies along the third and fourth score lines. Claim 15 recites that the first and second score lines on the outer laminate are spaced further apart than the third and fourth score lines on the inner laminate. Independent claim 81 is directed to a method that includes features that are at least generally similar to those included in claim 15.

Figure 4 of the present application illustrates an example of a corrugated container body having offset score lines that compress at least two plies of corrugated paperboard as recited in claims 15 and 81. As explained in paragraph 30 of the present application with reference to Figure 4, the outer tube 301 can include a first ply 401 of corrugated paperboard laminated to a second ply 402, and the inner tube 302 can include a third ply 403 of corrugated paperboard laminated to a fourth ply 404 and a fifth ply 405. As further explained, the outer tube 301 can include a first score line 411 offset from a second score line 412, and the inner tube 302 can include a third score line 413 offset from a fourth score line 414. As paragraph 31 states, "[e]ach of the score lines

411-414 can be produced by compressing the adjacent corrugated material along a substantially straight line to thereby reduce the material thickness along the line." This reduction in material thickness is clearly illustrated in Figure 4, which shows the first and second score lines 411 and 412 compressing both the first ply 401 and the second ply 402, and the third and fourth score lines 413 and 414 compressing all three of the third ply 403, the fourth ply 404 and the fifth ply 405. Figure 5 further illustrates that the first offset distance A between the first score line 411 and the second score line 412 is greater than the second offset distance B between the third score line 413 and the fourth score line 414.

2. McFarland is Directed to a Corrugated Container With Score Lines that Compress, at Most, only a small Portion of a Single Ply of Corrugated Paperboard

As shown in Figure 7 of McFarland, this reference teaches a corrugated container having an outer ply 10 and an inner ply 96. The outer ply 10 is a single ply of double-wall corrugated material, as is the inner ply 96. A set of score lines 44 and 46 is formed in the outer ply 10, and a similar set is formed in the inner ply 96. Each of the score lines 44 and 46 compresses, at most, only a small portion of a single ply of corrugated material. The score lines 44 and 46 on the outer ply 10, for example, only compress a small portion of the single ply of double-wall corrugated paperboard making up the outer ply 10. Similarly, the score lines 44 and 46 on the inner ply 96 only compress a small portion of the single ply of double-wall corrugated paperboard making up the inner ply 96.

3. Baker is Directed to a Corrugated Container in Which Entire Corner Portions of Inner and Outer Shells are Flattened over a Wide Area

As shown in Figure 5 of Baker, this reference teaches a corrugated container 10 having an inner shell 12 and an outer shell 15. Baker teaches that corners 28 of the inner and outer shells 12 and 15 should be crushed or flattened over a wide area to improve flexibility. As Baker explicitly states, "in a preferred embodiment, ...[t]his crushed portion should be quite wide, between one and three inches. A two and one-

half inch crushed corner has been found to be optimal" (see col. 3 of Baker at lns. 7-12; emphasis added).

4. Gillard is Directed to a Bulk Bin Comprised of a Single Multi-layer Sleeve with Crushed Corners

As shown in Figures 1 and 2 of Gillard, this reference teaches a bulk bin 10 having beveled surfaces 21 in at least two opposing corners. As Gillard explains, the beveled surfaces 21 are formed by crushing layers 11 between two spaced creases 19 and 20. (See Figure 6 of Gillard and accompanying text in col. 3 at lns. 3-10).

5. The Applied References Cannot Support a Section 103 Rejection of Claims 15 and 81 for at Least the Reason that These References Fail to Teach or Suggest Inner and Outer Laminates Having Offset Score Lines in Which at Least First and Second Plies of Corrugated Paperboard are Compressed

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest all the claim limitations. (MPEP 706.02(j)). In the present case, not one of the applied references teaches or suggests a corrugated container having inner and outer laminates with offset score lines in which at least first and second plies of corrugated material are compressed. The most McFarland teaches, for example, is a corrugated container having score lines that compress only a very small portion of a single ply of corrugated material. (See, e.g., Figure 7 of McFarland). The Office Action nevertheless attempts to fill this void in McFarland by asserting that it would have been obvious to one of ordinary skill in the art to compress the fold lines of McFarland "to provide added support at the corner and/or to allow the container to be easily collapsed." The applicant respectfully disagrees with this unsupported assertion for a number of reasons.

First, the MPEP clearly states that "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." (MPEP 2143.01; emphasis added). In the present case, the Office Action has not directed the applicant to a single prior art reference that suggests the desirability of the claimed combination. Instead,

the Office Action appears to manufacture the suggestion by conjecturing that there is a need to modify the container of McFarland for "added support at the corner and/or to allow the container to be easily collapsed." The problem with this unsupported assertion is that nowhere does McFarland even hint that his container needs "added support in the corner" or "to be [more] easily collapsed." To the contrary, in fact, McFarland states just the opposite. Specifically, in column 1 McFarland states that his corner configuration "yields maximum strength when the box or bin is erected." (See col. 1 at lns. 33-43; emphasis added). Thus, McFarland himself *teaches away* from the modification proposed by the Office Action. Accordingly, the prior art does not suggest the desirability of the proposed modification, and absent such a suggestion, the Office Action has failed to establish *prima facie* rejections of claims 15 and 81. Therefore, the rejections of these claims should be withdrawn.

Claims 18-21 depend from base claim 15, and claims 83 and 84 depend from base claim 81. Accordingly, the applied references cannot support a Section 103 rejection of dependent claims 18-21, 83 and 84 for at least the reason that these references cannot support a Section 103 rejection of the corresponding base claims, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 18-21, 83 and 84 should be withdrawn.

The rejection of dependent claim 18 should be withdrawn for at least one additional reason. Claim 18 is directed to the corrugated container structure of claim 15, and further recites that the first and second plies of the outer laminate, and the third and fourth plies of the inner laminate, are triple-wall corrugated paperboard. None of the applied references of McFarland, Baker or Gillard teach or suggest a corrugated container that includes four plies of triple-wall corrugated paperboard. Furthermore, the Office Action does not even address this feature of claim 18. Absent this feature, the applied references cannot support a *prima facie* rejection of dependent claim 18, and the rejection should be withdrawn for at least this additional reason.

Dependent claims 19 and 20 should be withdrawn for at least one additional reason as well. Dependent claims 19 and 20 are directed to the corrugated container

structure of claim 15, and further recite that the offset distance between the score lines is determined based on the respective laminate thicknesses. Claim 20, for example, recites that:

> the first offset distance is at least approximately equal to 0.30 x (thickness of the outer laminate) + 2 x (thickness of the inner laminate); and
>
> the second offset distance is at least approximately equal to 1.5 x (thickness of the inner laminate).

Rather than comply with the MPEP and identify where the prior art references teach or suggest this feature, the Office Action instead appears to manufacture the teaching with the unsupported and somewhat circular suggestion that "it would have been obvious to one of ordinary skill in the art to provide the container with a distance as set forth to provide the desired offset distance of the container." Applicant respectfully disagrees with this unsupported assertion (to the extent applicant understands the assertion). More importantly, the prior art – *not the Office Action*, must provide the suggestion for the combined combination. In the case of claims 19 and 20, the Office Action has provided absolutely no reference to where the prior art teaches or suggests the specific score line offsets of the claims. Absent such a teaching, the applied references cannot support a proper Section 103 rejection of claims 19 and 20. Therefore, the rejection of these dependent claims should be withdrawn for at least this additional reason.

E. Response to the Section 103 Rejection of Claims 1-12, 16, 17, 82 and 99-105

Claims 1-12, 16, 17, 82 and 99-105 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Shuert. Claim 1 has been cancelled without commenting on or conceding the merits of the rejection of this claim. Accordingly, the rejection of claim 1 is now moot.

Claim 82 depends from base claim 81. Base claim 81 is allowable over the applied reference of McFarland for at least the reasons discussed above with regard to the Section 103 rejection of base claim 81. Further, Shuert fails to cure the deficiencies of McFarland with regard to base claim 81. Indeed, the Office Action only relies on

Shuert to provide a corrugated container having outer and inner panels with at least three corrugated panels. Therefore, the combination of McFarland and Shuert cannot support a Section 103 rejection of dependent claim 82 for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 81, and for the additional features of dependent claim 82. Therefore, the rejection of dependent claim 82 should be withdrawn.

1. Independent Claim 3 is Directed to a Corrugated Container that Includes, *Inter Alia*, an Outer Tube and an Inner Tube Having Offset Score Lines in Which at Least Two or More Plies of Corrugated Paperboard are Compressed

Claim 3 has been rewritten in independent form to include all of the features of base claim 1. Claim 3 is directed to a corrugated container body that includes an outer tube and an inner tube. The outer tube includes a first score line offset from a second score line by a first offset distance, and the inner tube includes a third score line offset from a fourth score line by a second offset distance. Each of the score lines compress at least first and second plies of corrugated paperboard. Further, claim 3 recites that the first offset distance between the first and second score lines is greater than the second offset distance between the third and fourth score lines.

2. Shuert Teaches a Corrugated Container Having Creases in Corner Regions that are Aligned

As shown in Figures 15 and 16 of Shuert, Shuert teaches a method for forming creases 100a-c in a panel assembly 100 with vertically aligned die bars 110 and 104. As Shuert explains, the "die bars 110 are positioned in precise vertical alignment with the respective die bars 104 . . .. With each vertically aligned pair of die bars 104 and 110 coacting to define a pair of parallel creases 110a in the upper or outer face 100b of the panel assembly defining a hinge section 100j therebetween, and a corresponding pair of parallel creases 100c in the lower or inner face 100d of the panel assembly defining a hinge section 100k therebetween." (see cols. 8 and 9 of Shuert at lns. 66-9; emphasis added).

3. McFarland and Shuert Cannot Support a Section 103 Rejection of Independent Claim 3 for at Least the Reason that There is no Motivation to Combine These References to Produce the Claimed Invention

Independent claim 3 is directed to a corrugated container body that includes an outer tube having first and second score lines and an inner tube having third and fourth score lines. Each of the score lines in the corrugated container body of claim 3 compresses at least first and second plies of corrugated paperboard. The Office Action acknowledges, and Figure 7 of McFarland clearly shows, that the score lines 44 and 46 of McFarland *do not* compress at least first and second plies of corrugated material. Thus, McFarland alone does not teach all of the features of independent claim 3.

To fill the void in McFarland, the Office Action suggests that it would have been obvious to one of ordinary skill in the art to combine the creases 100a-c illustrated in Figures 15 and 16 of Shuert with McFarland. Applicant respectfully disagrees with this assertion for a number of reasons. First, a valid Section 103 rejection requires that the prior art, not the Office Action or the applicant's disclosure, provide the motivation to combine prior art references. In the present case, the Office Action has failed to identify where any of the prior art references suggest combining Shuert with McFarland. Absent this step, the Office Action has not given applicant the opportunity to respond to a properly framed Section 103 rejection. Notwithstanding this deficiency, for the reasons discussed in detail below, applicant submits that the prior art lacks any suggestion to combine Shuert with McFarland and, therefore, the combination of McFarland and Shuert cannot support a proper Section 103 rejection of independent claim 3.

Contrary to the suggestion in the Office Action, the creases 100a-c taught by Shuert would not be combined with the corrugated container of McFarland for the following reasons. First, Shuert unequivocally teaches that his opposing die bars 110 and 104 must be "in precise vertical alignment" to simultaneously form the creases 100a-c on both sides of his corrugated container. This vertical alignment is clearly illustrated in Figures 15 and 16 of Shuert. Reference to Figure 7 of McFarland, however, illustrates the score lines 44 and 46 of his container are only placed on a single side of each of the respective corrugated panels 96 and 10. Using the die bars

110 and 104 of Shuert to manufacture the score lines 44 and 46 of McFarland would unfavorably produce mirror image score lines on the backside of panels 96 and 10, thereby destroying the basic configuration of McFarland's corner design. Since McFarland teaches that his corner design offers "maximum strength," there is clearly no motivation to alter it with the mirror-image score lines taught by Shuert.

A second reason that Shuert would not be combined with McFarland is that the score lines 44 and 46 illustrated in Figure 7 of McFarland are not in "precise vertical alignment" as taught by Shuert, but instead are offset different distances on the inner panel 96 and the outer panel 10. McFarland teaches that these different offsets are necessary to provide the folding functionality of his container. (See col. 4 of McFarland at lns. 14-17). In contrast, the die bars 104 and 110 taught by Shuert can only be used to provide parallel creases that are in "precise vertical alignment." Therefore, not only is there no motivation in the prior art to combine Shuert with McFarland, but doing so would frustrate the basic functionality of McFarland's container. Accordingly, McFarland and Shuert cannot support a proper Section 103 rejection of independent claim 3 for at least these reasons, and the rejection should be withdrawn.

Claims 2, 4-12, 99, 101 and 102 depend from base claim 3. Accordingly, McFarland and Shuert cannot support a Section 103 rejection of these dependent claims for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 3, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 2, 4-12, 99, 101 and 102 should be withdrawn.

4. Independent Claim 16 is Directed to Corrugated Container that Includes, *Inter Alia*, an Outer Laminate Having First and Second Score Lines in First and Second Plies, and an Inner Laminate Having Third and Fourth Score Lines in Third, Fourth and Fifth Plies

Claim 16 is directed to a corrugated container structure that includes, *inter alia*, an outer laminate having first and second plies, and an inner laminate having third, fourth and fifth plies. The outer laminate includes first and second score lines separated

by a first offset distance, and the inner laminate includes third and fourth score lines separated by a second offset distance that is less than the first offset distance.

5. McFarland and Shuert Cannot Support a Section 103 Rejection of Independent Claim 16 for at Least the Reason that There is no Motivation in the Prior Art to Combine the Teachings of Shuert with McFarland

The Office Action acknowledges that McFarland does not teach a corrugated container having an inner laminate with third, fourth and fifth plies. To overcome this deficiency, the Office Action suggests that "it would have been obvious to one of ordinary skill in the art to provide [McFarland with] at least three double-wall corrugated panels" to provide added strength. Applicant respectfully disagrees with this assertion. As pointed out above, the prior art – *not the Office Action* – must provide the motivation to combine references. In this case, nowhere has the Office Action identified where McFarland (or any other reference) indicates that his corrugated container requires added strength. Absent such a teaching, Shuert and McFarland cannot support a proper Section 103 rejection of claim 16, and the rejection should be withdrawn.

Claim 17 depends from claim 16. Accordingly, McFarland and Shuert cannot support a Section 103 rejection of dependent claim 17 for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 16, and for the additional features of this dependent claim. Therefore, the rejection of dependent claim 17 should be withdrawn.

6. Independent Claims 100 and 103 are Directed to Corrugated Container Bodies that Include, *Inter Alia*, an Inner Tube Adhesively Bonded to an Outer Tube *in the Absence of Adhesive* Between an Outer Corner Portion of the Outer Tube and an Inner Corner Portion of the Inner Tube

Independent claims 100 and 103 have not been substantively amended by this response. Accordingly, any subsequent rejection of independent claims 100 and 103 based on new grounds cannot be made final.

Independent claims 100 and 103 are directed to corrugated container bodies that include an inner tube sleeved within an outer tube. The outer tube includes an outer corner portion having a first score line offset from a second score line by a first offset distance. The inner tube includes an inner corner portion having a third score line offset from a fourth score line by a second offset distance. Independent claims 100 and 103 both recite that the inner tube is adhesively bonded to the outer tube "in the absence of adhesive" between the outer corner portion of the outer tube and the inner corner portion of the inner tube.

7. McFarland and Shuert Cannot Support a Section 103 Rejection of Independent Claims 100 and 103 for At Least the Reason that These References Explicitly teach the use of Adhesive Between Corner Portions Formed by Score Lines

Independent claims 100 and 103 are directed to corrugated container bodies that include, *inter alia*, an outer tube having an outer corner portion formed between first and second score lines, and an inner tube having an inner corner portion formed between third and fourth score lines. These claims further recite that there is no adhesive between the outer corner portion of the outer tube and the inner corner portion of the inner tube.

Shuert explicitly teaches adhesively bonding the inner tube to the outer tube over the entire length of the outer tube to form a single flat panel assembly. (See e.g., Figure 13 of Shuert and col. 8 of Shuert at lns. 21-26). Thus, Shuert fails to teach or suggest the features of independent claims 100 and 103 that call for the inner tube to be adhesively bonded to the outer tube *in the absence* of adhesive between the score lines of the inner and outer tubes.

McFarland also fails to teach the features of independent claims 100 and 103. In fact, McFarland teaches the direct opposite and is replete with references to the importance of *including* adhesive between the corner score lines. For example, in his Abstract McFarland states:

> "According to this invention, an elongated zone of adhesive is provided between the outermost and the next layer of corrugated paperboard, in

> combination with score lines adjacent and parallel with the line of adhesive. This line of adhesive is substantially parallel with the fold line or axis of the 180 degree fold. By such adhering together of the outmost and next layer or ply along this zone, the final 90 degree fold exhibits substantial uniformity therealong." (See McFarland, Abstract; emphasis added).

This important "zone of adhesive" is identified as item 90 and is clearly shown in Figures 3, 6 and 7 of McFarland. In columns 3 and 4, McFarland stresses the importance of this adhesive stating:

> "the glue strip 90, in combination with score lines 44, 46, 48 and 82, controls the components of the two layers 10 and 60 to thereby prevent bulging at each of the two 90 degree fold portions adjacent scores 44 and 46. The reader will observe that a W shape configuration is formed, this configuration controlling the displacement of the several portions of the paperboard forming the joint with the result that there is no distortion at the 90 degree joint between adjacent side panels of the bend." (McFarland cols. 3 and 4 at lns. 57-4).

Thus, in light of the importance McFarland places on the use of adhesive between the score lines, it cannot fairly be said that McFarland teaches the "absence of adhesive" between the score lines. Accordingly, the combination of McFarland and Shuert cannot support a proper Section 103 rejection of independent claims 100 and 103 for at least this reason, and the rejection should be withdrawn.

Claims 104 and 105 depend from base claim 103. Accordingly, McFarland and Shuert cannot support a Section 103 rejection of dependent base claims 104 and 105 for at least the reason that these references cannot support a Section 103 rejection of corresponding base claim 103, and for the additional features of these dependent claims. Therefore, the rejections of dependent claims 104 and 105 should be withdrawn.

F. Response to the Section 103 Rejection of Claims 13 and 22

Claims 13 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over McFarland in view of Shuert. Claim 13 depends from base claim 3, and claim 22 depends from base claim 15. McFarland and Shuert cannot support a Section 103 rejection of base claims 3 and 15 for at least the reasons discussed above with regard

to the Section 103 rejections of these claims. Accordingly, McFarland and Shuert cannot support a Section 103 rejection of dependent claims 13 and 22 for at least the reason that these references cannot support a Section 103 rejection of corresponding base claims 3 and 15, and for the additional features of these dependent claims. Therefore, the rejection of dependent claims 13 and 22 should be withdrawn.

G. Conclusion

In view of the foregoing, the claims pending in the application comply with 35 U.S.C. § 112 and patentably define over the applied art. Therefore, a Notice of Allowance is respectfully requested. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-6351.

Respectfully submitted,
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